

As a result of a recent rulemaking completed on June 28, 2023, Interior Design has finalized new rules, 16.42 NMAC, Parts 1 through 7. The new rules are effective on July 18, 2023. The amendments to these Parts are to comply with statutory changes to the Interior Designers Act which appear at NMSA 1978, Sections 61-24C-8, 61-24C-9, 61-24C-10. Included below is a copy of the new rules, Notice of Minor Nonsubstantive Correction, and the signed Concise Explanatory Statement.

If you have any questions, please send them to: Interior.Design@rld.nm.gov

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 42 INTERIOR DESIGNERS
PART 1 GENERAL PROVISIONS

16.42.1.1 ISSUING AGENCY: Regulation and Licensing Department.
[11/10/97; 16.42.1.1 NMAC - Rn, 16 NMAC 42.1.1, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.1.2 SCOPE: The provisions in Part 1 of Chapter 42 apply to all parts and provide relevant information to the licensees, applicants and the general public.
[11/10/97; 16.42.1.2 NMAC - Rn, 16 NMAC 42.1.2, 10/26/2002; A, 7/18/2023]

16.42.1.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Interior Design Act, Section 61-24C-5 NMSA 1978.
[11/10/97; 16.42.1.3 NMAC - Rn, 16 NMAC 42.1.3, 10/26/2002; A, 7/18/2023]

16.42.1.4 DURATION: Permanent.
[11/10/97; 16.42.1.4 NMAC - Rn, 16 NMAC 42.1.4, 10/26/2002]

16.42.1.5 EFFECTIVE DATE: November 10, 1997, unless a different date is cited at the end of a section or paragraph.
[11/10/97; 16.42.1.5 NMAC - Rn, 16 NMAC 42.1.5, 10/26/2002]

16.42.1.6 OBJECTIVE: To define the terms relevant to interior design and establish display of license and advertising requirements.
[11/10/97; 16.42.1.6 NMAC - Rn, 16 NMAC 42.1.6, 10/26/2002; A, 7/18/2023]

16.42.1.7 DEFINITIONS:

- A.** “applicant” has the same meaning as defined in Subsection A of Section 61-24C-3 NMSA 1978;
- B.** “department” has the same meaning as defined in Subsection B of Section 61-24C-3 NMSA 1978;
- C.** “interior design” has the same meaning as defined in Subsection C of Section 61-24C-3 NMSA 1978;
- D.** “licensed interior designer” or “licensed designer” has the same meaning as defined in Subsection D of Section 61-24C-3 NMSA 1978.

[16.42.1.7 NMAC – N, 7/18/2023]

16.42.1.8 [RESERVED]
[11/10/97; 16.42.1.8 NMAC - Rn, 16 NMAC 42.1.8, 10/26/2002; Repealed, 7/18/2023]

16.42.1.9 [RESERVED]
[11/10/97; 16.42.1.9 NMAC - Rn, 16 NMAC 42.1.9, 10/26/2002; Repealed, 7/18/2023]

16.42.1.10 [RESERVED]
[11/10/97; 16.42.1.10 NMAC - Rn, 16 NMAC 42.1.10, 10/26/2002; A, 08/15/2014; Repealed, 7/18/2023]

16.42.1.11 DISPLAY OF LICENSE: The certificate of licensure shall be publicly displayed at the licensee's place of employment. Licensees with more than one place of employment shall also publicly display duplicate original licenses at any secondary places of employment.

[11/10/97; 16.42.1.11 NMAC - Rn, 16 NMAC 42.1.11, 10/26/2002]

16.42.1.12 ADVERTISING:

A. Each licensed interior designer (LID), shall include their name, state and license number in any newspaper, telephone directory, or any other advertising medium used by the LID. A sole proprietorship, corporation, limited liability company or partnership advertising interior design services is required to display the name, state and license number of at least one LID employed by or working within that business entity.

B. Definition:

(1) When using the words "licensed interior designer" or "licensed interior design" in any advertising medium, LIDs shall include their position, job description, or title and include the state and license number. A license number is not required unless the individual is a LID and using the terms "licensed interior design" or "licensed interior designer".

(2) The term "newspaper, telephone directory, or other advertising medium" as used in Subsection A, shall mean any of the following when paid for or produced by or for a licensed interior designer (LID) (telephone business directory listings are deemed to be produced for a LID notwithstanding whether the listings are paid for):

- (a) telephone directory listings;
- (b) construction site signs;
- (c) airwave transmissions;
- (d) handbills;
- (e) all billboards, on or off site;
- (f) shopping and service guides;
- (g) magazine advertisements (including trade association publications);
- (h) classified advertisements;
- (i) signs on vehicles;
- (j) promotional materials such as video tapes, flyers, brochures;
- (k) business stationery: when using business stationery as an advertising medium,

the LID shall include name or signature, position, job description or title of the individual and shall include the state and license number;

- (l) business cards;
- (m) television advertisement;
- (n) internet advertisement;
- (o) compact disc (CD) or digital video disk (DVD).

(3) The term shall not apply to the following:

- (a) on-site signage used for identification, i.e., on facade, front door, or location of business;
- (b) information identifying a charitable donation to any organization exempt from federal income tax;
- (c) telephone directory listings for professional interior design organizations.

C. Seal:

(1) The official seal shall be as follows: an embossed circular seal two inches in diameter consisting of two concentric circles; the annular space between the two circles shall contain the seal of the state of New Mexico.

(2) The department authorizes a seal or stamp for use by licensed interior designers. The seal shall attest that the documents were prepared and reviewed by the licensed interior designer (LID). When an LID signs, stamps or seals a document containing the work of others, the LID represents that the entire document has been prepared by them under their responsible control, unless they include a written statement adjacent to their signature, stamp or seal identifying the portion of the document that was prepared by them or prepared under their responsible control. A LID who signs, stamps or seals a document which was not prepared by them but was prepared under their responsible control is subject to disciplinary proceedings as if they prepared it themselves.

(3) The seal/stamp will bear the LID's name and license number and the legend "Licensed Interior Designer State of New Mexico." All plans, specifications and reports issued by a LID shall have the LID's signature placed across the seal/stamp.

[11/10/97; 16.42.1.12 NMAC - Rn, 16 NMAC 42.1.12, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

HISTORY OF 16.42.1 NMAC:

Pre NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

IDB Rule 89-1, General Provisions filed 12/19/89.

IDB Rule 89-2, Organization filed 12/19/89.

IDB Rule 89-3, Administration filed 12/19/89.

IDB Rule 89-10, Display of License filed 12/19/89.

IDB Rule 94-1, Advertising filed 4/26/95.

History of Repealed Material: [RESERVED]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 42 INTERIOR DESIGNERS
PART 2 CODE OF PROFESSIONAL CONDUCT

16.42.2.1 ISSUING AGENCY: Regulation and Licensing Department.

[11/10/97; 16.42.2.1 NMAC - Rn, 16 NMAC 42.2.1, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.2.2 SCOPE: The licensed interior designer shall be governed by the code of professional conduct when providing interior design services in any context. This code shall apply to the conduct of all licensees and applicants.

[11/10/97; 16.42.2.2 NMAC - Rn, 16 NMAC 42.2.2, 10/26/2002; A, 11/14/2009; A, 7/18/2023]

16.42.2.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Interior Design Act, Section 61-24C-5 NMSA 1978.

[11/10/97; 16.42.2.3 NMAC - Rn, 16 NMAC 42.2.3, 10/26/2002; A, 7/18/2023]

16.42.2.4 DURATION: Permanent.

[11/10/97; 16.42.2.4 NMAC - Rn, 16 NMAC 42.2.4, 10/26/2002]

16.42.2.5 EFFECTIVE DATE: November 10, 1997, unless a different date is cited at the end of a section or paragraph

[11/10/97; 16.42.2.5 NMAC - Rn, 16 NMAC 42.2.5, 10/26/2002]

16.42.2.6 OBJECTIVE: To establish standards of conduct to be upheld by all applicants and licensees. A violation of this part is sufficient reason for disciplinary action pursuant to the Interior Design Act.

[11/10/97; 16.42.2.6 NMAC - Rn, 16 NMAC 42.2.6, 10/26/2002; A, 11/14/2009; A, 7/18/2023]

16.42.2.7 DEFINITIONS: [RESERVED]

16.42.2.8 CODE OF PROFESSIONAL CONDUCT:

A. Responsibility to the public:

(1) Licensed interior designers (LIDs) shall comply with all existing applicable laws, regulations, and codes governing business practices and procedures and the practice of interior design as established by federal, state, and local jurisdictions in which they practice.

(2) LIDs shall act with reasonable care and competence, and shall apply the technical knowledge and skill which are ordinarily applied by LIDs of good standing, practicing in the same locality.

(3) LIDs shall not engage in any form of false or misleading advertising [or] promotional activities and shall not imply through advertising or other means that persons associated with them or their business entity are licensed interior designers unless licensed by the state of New Mexico.

(4) LIDs shall neither offer nor make any payment or gift to a local, state, or federal official, appointed or elected, with the intent of influencing the official's judgment in connection with an existing or prospective project in which the LID is interested.

(5) LIDs serving in a public capacity shall not accept payments or gifts which are intended to influence their judgment. A person serving in a "public capacity" is defined as anyone working for or on behalf of any government entity.

(6) LIDs shall not engage in conduct involving fraud or flagrant disregard of the rights of others.

(7) LIDs shall not assist, abet, or counsel others to commit fraudulent, negligent, or illegal conduct in connection with a project.

(8) LIDs shall not discriminate in their professional activities on the basis of race, religion, gender, national origin, age, sexual orientation, or non-disqualifying disability.

B. Responsibilities to the client:

(1) Interior design contract documents prepared under the direction of a LID shall contain the following statement: "This document is not an architectural or engineering study, drawing, specification, or design and is not to be used as the basis for construction of any load-bearing framing, wall, or structure construction." This shall not apply to LIDs who are licensed professionals in such field. "Contract documents" shall be interpreted to mean final contracts, drawings and specifications for and interior design project.

(2) The contract between a LID and a client shall clearly set forth the scope and nature of the project, general description of materials involved, the services to be performed, and the method of compensation for those services. LIDs shall not materially alter the scope or objectives of a project without the client's consent.

(3) LIDs shall fully disclose to the client all methods of compensation which the LID shall receive in connection with the project and shall not accept any form, of undisclosed compensation from any person or firm with whom the LID deals in connection with the project.

(4) LIDs shall not accept compensation for their services from more than one party on a project unless the circumstances are fully disclosed and agreed to in writing by all interested parties.

(5) If LIDs have any business association, direct or indirect financial interest, or other interest which could be substantial enough to influence their judgment in connection with their performance of professional services, the LID shall fully disclose in writing to their clients or employers the nature of interest. If the clients or employers object to such association, financial interest, or other interest, the LID will either terminate such association or interest or decline the commission or employment.

(6) LIDs shall not intentionally or recklessly mislead existing or prospective clients about the results that can be achieved through the use of the LIDs service, nor shall the members state that they can achieve results by means that violate applicable laws or this code.

(7) LIDs shall not divulge any confidential information about the client or the client's project, or utilize photographs of the project without the express written permission of the client. LID's shall disclose in writing to the client the specifications or drawings over which the LID retains proprietary rights, and which do not require client permission prior to use.

(8) LIDs when rendering interior design services shall disclose in writing to the client whether or not they have professional insurance. If they have professional insurance, LIDs shall fully disclose in writing to the client the nature and extent of all insurance coverage, including workman's compensation and bonds, covering subcontractors employed by the LID.

[11/10/97; 16.42.2.8 NMAC - Rn, 16 NMAC 42.2.8, 10/26/2002; A, 11/14/2009]

HISTORY OF 16.42.2 NMAC:

Pre NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

IDB 93-1, Code of Professional Conduct filed 12/20/93.

History of Repealed Material: [RESERVED]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING

CHAPTER 42 INTERIOR DESIGNERS

PART 3 LICENSING REQUIREMENTS

16.42.3.1 ISSUING AGENCY: Regulation and Licensing Department.

[11/10/97; 16.42.3.1 NMAC - Rn, 16 NMAC 42.3.1, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.3.2 SCOPE: The provisions in Part 3 apply to all parts and provide relevant information to the licensees, applicants and general public.

[11/10/97; 16.42.3.2 NMAC - Rn, 16 NMAC 42.3.2, 10/26/2002]

16.42.3.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Interior Design Act, Sections 61-24C-8, 61-24C-9; Section 61-24C-10; and 61-24C-11, NMSA 1978.

[11/10/97; 16.42.3.3 NMAC - Rn, 16 NMAC 42.3.3, 10/26/2002; A, 7/18/2023]

16.42.3.4 DURATION: Permanent.

[11/10/97; 16.42.3.4 NMAC - Rn, 16 NMAC 42.3.4, 10/26/2002]

16.42.3.5 EFFECTIVE DATE: July 8, 1998, unless a different date is cited at the end of a section.

[11/10/97, 7/8/98; 16.42.3.5 NMAC - Rn, 16 NMAC 42.3.5, 10/26/2002; A, 7/18/2023]

16.42.3.6 OBJECTIVE: This part is to establish the minimum requirements for applicants applying for licensure as a licensed interior designer.

[11/10/97; 16.42.3.6 NMAC - Rn, 16 NMAC 42.3.6, 10/26/2002; A, 11/14/2009]

16.42.3.7 DEFINITIONS:

“Electronic signature” means an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

[16.42.3.7 NMAC - N, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.3.8 LICENSURE:

A. License required: Effective June 16, 1989, no person shall represent themselves as a licensed interior designer unless they are licensed pursuant to the Interior Design Act.

B. Applications and qualifications for licensure: Any person desiring licensure as an interior designer shall apply as indicated in 16.42.3.9 NMAC, licensure by examination, or 16.42.3.10 NMAC, licensure without examination. Electronic signatures will be acceptable for applications submitted pursuant to 14-16-1 through 14-16-19, NMSA 1978.

[11/10/97, 7/8/98; 16.42.3.8 NMAC - Rn, 16 NMAC 42.3.8, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.3.9 LICENSURE BY EXAMINATION: Any person desiring licensure by examination as an interior designer shall apply to the department on a form prescribed by the department, pay the required application fee, and furnish evidence to the department documenting that the applicant meets the requirement for licensure. The following are the requirements for licensure.

A. Completed application form, provided by the department. All areas of the form must be filled out and the application must be signed. Application must be accompanied by application fee.

B. Verification of passing the National Council for Interior Design Qualification (NCIDQ) examination or other nationally recognized examination approved by the department, must be submitted to the department.

C. Active certification from the National Council for Interior Design Qualification or another nationally recognized certification must be submitted to the department.

[11/10/97, 7/8/98; 16.42.3.9 NMAC - Rn, 16 NMAC 42.3.9, 10/26/2002, A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.3.10 LICENSURE WITHOUT EXAMINATION: The department may, on a case-by-case basis, review and issue a license to any person applying for a license, who does not satisfy the licensing requirements in 16.42.3.9 NMAC if the applicant provides evidence to the department that:

A. The applicant has an active licensure in another state or country where qualifications are equal to or exceed those required by the Interior Designers Act and the applicant complies with all other requirements of the Interior Designers Act; or

B. The applicant has apprenticed for at least eight years under a licensed interior designer who passed the National Council for Interior Design Qualification examination or another nationally recognized examination approved by the department.

[11/10/97; 16.42.3.10 NMAC - Rn, 16 NMAC 42.3.10, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.3.11 [RESERVED]

[16.42.3.11 NMAC - N/E, 12/12/2005; A, 08/15/2014; Repealed, 07/18/2023]

16.42.3.12 EXPEDITED LICENSURE:

A. The department shall issue in no later than 30 days a license by reciprocity to an applicant from another state who holds a current license in good standing, provided the requirements for licensure in the state where the applicant is licensed meet or exceed the requirements for licensure in the state of New Mexico.

B. An expedited license is a one year provisional license that confers the same rights, privileges, and responsibilities as regular licenses issued by the department, provided that the department may allow for the initial term of an expedited license to be greater than one year by rule or may extend an expedited license upon a showing of extenuating circumstances.

C. Before the end of the expedited license term and upon application, the department shall issue a regular license through the license renewal process.

[16.42.3.12 NMAC - N/E, 12/12/2005; A, 7/18/2023]

16.42.3.13 LICENSE RENEWAL:

A. All licenses issued by the department shall expire four years after the date issued and shall be renewed by submitting a completed renewal application, accompanied by the required fees, on the application form prescribed by the department.

B. Each licensed interior designer must have completed no less than 20 continuing education hours of educational instruction or training in interior design subjects or courses of study, within each renewal period, as defined in 16.42.6.8 NMAC. The department may make exceptions from this continuing education requirement in cases that the licensee provides evidence of emergency or hardship.

[16.42.3.13 NMAC - N, 11/14/2009; A, 7/18/2023]

16.42.3.14 EXPIRED LICENSE: The holder of a license that has expired through failure to renew may renew the license, upon approval of the department.

[16.42.3.14 NMAC - N, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.3.15 INACTIVE STATUS:

A. A license in good standing may be transferred to inactive status upon written request to the department. Such request shall be made prior to the expiration of the license.

(1) The licensee shall submit their license to the department along with a written request to be placed on inactive status. The licensee is deemed inactive status at the time of the request and license are stamped and received at the department. In the event the license is lost or otherwise unavailable for delivery, inactivation of the license will take place at the time the department receives and marks them at the department.

(2) After three years of inactive status a licensee is required to re-apply for licensure.

(3) No licensee will automatically be placed on inactive status by failure of the licensee to renew their license or to pay the annual inactive status fee.

(4) No licensee shall be placed on inactive status if the licensee is under investigation or if disciplinary proceedings have been initiated.

(5) The voluntary inactivation of a license will not prevent the commission from taking disciplinary action against the licensee.

B. An annual inactive status fee must be submitted to the department by October 1st of each year. Failure to pay the inactive fee will result in the license being deemed expired.

C. Any person who desires to reinstate his license must notify the department of his desire to reinstate the inactive license. Upon receipt of such notice, the board office will send the inactive licensee an application for reinstatement.

D. The inactive licensee shall submit the application for reinstatement together with the applicable fee(s) and proof of no less than 20 continuing education hours for each four year period of inactive status, as defined in 16.42.6 NMAC.

[16.42.3.15 NMAC - N, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.3.16 EXPEDITED LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES, CHILDREN , AND VETERANS:

A. Definitions:

(1) “Good standing” means a license or registration is active and not expired, suspended, revoked, surrendered, conditioned, or otherwise in a status that in any manner restricts the activity of a license or registrant under the authority of the license.

(2) “Licensing fee” has the same meaning as defined in Paragraph (1) of Subsection E of Section 61-1-34 NMSA 1978.

(3) “Licensing jurisdiction” has the same meaning as defined in Subsection F of Section 61-1-2 NMSA 1978.

(4) “Military service member” has the same meaning as defined in Paragraph (2) of Subsection E of Section 61-1-34 NMSA 1978.

(5) “Veteran” has the same meaning as defined in Paragraph (3) of Subsection E of Section 61-1-34 NMSA 1978.

B. A candidate seeking licensure under Section 61-1-34 NMSA 1978 must submit to the department a complete applicant containing the following:

(1) Completed and signed application form.

(2) Proof of a current license in good standing in another jurisdiction, including a branch of the United States armed forces;

(3) submission of the following documentation:

(a) for a military service member; a copy of military orders;

(b) for a spouse of military service member; copy of military service member’s military orders and a copy of marriage license;

(c) for a spouse of deceased military service members; a copy of decedent’s DD form 214 and a copy of marriage license;

(d) for dependent children of military service members; a copy of military service member’s orders listing dependent child, or a copy of military orders and one of the following: a copy of birth certificate, military service member’s federal income tax return or other governmental or judicial documentation establishing dependency; or

(e) for veterans (retired or separated); proof of honorable discharge such as a copy of DD Form 214, DD Form 215, DD Form 256, DD Form 257, NGB Form 22, military ID card, a driver’s license or state ID card with a veteran’s designation, or other documentation verifying honorable discharge.

C. Electronic signatures are acceptable for application submitted pursuant to Section 14-16-1 through Sections 14-16-19, NMSA 1978.

D. Fees:

(1) The initial licensing fee is waived for the first four years of licensure.

(2) The renewal fee is \$250.00 as defined in 16.42.5 NMAC.

E. Renewal requirements:

(1) A licensee pursuant to this section shall not be renewed unless the licensee meets requirements for licensure and for the renewal of a license pursuant to Section 61-24C-10, NMSA 1978.

(2) Original and renewal licensing shall be valid for a period of four years.

(3) Prior to the expiration of the license; licensee shall apply for renewal and pay the renewal fee as set forth in 16.42.3.13 NMAC.

[16.42.3.16 NMAC - N, 08/15/2014; A, 7/18/2023]

HISTORY OF 16.42.3 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

IDB Rule 89-4, Licensure filed 12/19/89.

IDB Rule 89-5 Examination, filed 12/19/89.

IDB Rule 89-6, Licensure Without Examination, filed 12/19/89.

History of Repealed Material: [RESERVED]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 42 INTERIOR DESIGNERS
PART 4 COMPLAINTS AND DISCIPLINARY ACTIONS

16.42.4.1 ISSUING AGENCY: Regulation and Licensing Department.
[11/10/1997; 16.42.4.1 NMAC - Rn, 16 NMAC 42.4.1, 10/26/2002; A, 11/14/2009; A, 8/15/2014; A, 7/18/2023]

16.42.4.2 SCOPE: The provisions in Part 4 of Chapter 42 apply to all licensees, and applicants for licensure.
[11/10/1997; 16.42.4.2 NMAC - Rn, 16 NMAC 42.4.2, 10/26/2002; A, 7/18/2023]

16.42.4.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Interior Design Act, 61-24C-5; 61-24C-10; 61-24C-11 and 61-24C-12 NMSA 1978.
[11/10/1997; 16.42.4.3 NMAC - Rn, 16 NMAC 42.4.3, 10/26/2002; A, 7/18/2023]

16.42.4.4 DURATION: Permanent.
[11/10/1997; 16.42.4.4 NMAC - Rn, 16 NMAC 42.4.4, 10/26/2002]

16.42.4.5 EFFECTIVE DATE: November 10, 1997 unless a different date is cited at the end of a section of paragraph.
[11/10/1997; 16.42.4.5 NMAC - Rn, 16 NMAC 42.4.5, 10/26/2002]

16.42.4.6 OBJECTIVE: The objective of Part 4 is to establish the procedures for filing complaints against a licensee, the authority of the department regarding ground for denial, suspension, or revocation of a license.
[11/10/1997; 16.42.4.6 NMAC - Rn, 16 NMAC 42.4.6, 10/26/2002; A, 7/18/2023]

16.42.4.7 DEFINITIONS: [RESERVED]

16.42.4.8 COMPLAINTS: Disciplinary proceedings against a licensed interior designer may be initiated by a sworn complaint of any person. Complaint forms shall be obtained from the department or department website and must be filed with the department or online.
[11/10/1997; 16.42.4.8 NMAC - Rn, 16 NMAC 42.4.8, 10/26/2002; A, 7/18/2023]

16.42.4.9 DISCIPLINE: Unprofessional conduct is grounds for denial, suspension or revocation of a license under Subsection F of Section 61-24C-10 NMSA 1978, unprofessional conduct shall include, but is not limited to, violations of the code of professional conduct for interior design.
[11/10/1997; 16.42.4.9 NMAC - Rn, 16 NMAC 42.4.9, 10/26/2002; A, 11/14/2009; A, 7/18/2023]

16.42.4.10 POTENTIALLY DISQUALIFYING CRIMINAL CONVICTIONS: Convictions for any of the following offense, or their equivalents in any other jurisdiction, are disqualifying criminal convictions that may disqualify an applicant from receiving or retaining a license or certificate by the department.

- A. Physical harm to others:
 - (1) murder;
 - (2) manslaughter;
 - (3) assault;
 - (4) battery;
 - (5) abandonment of a child resulting in death or great bodily harm;
 - (6) abuse of a child;
 - (7) kidnapping;
 - (8) false imprisonment;
 - (9) sexual assault;
- B. Property damage:
 - (1) shooting at property;
 - (2) criminal damage to property;

- (3) dangerous use of explosives;
- (4) graffiti;
- (5) arson;
- C.** Fraud:
 - (1) misrepresentation fraudulent statements or alterations of documents;
 - (2) improper sale, disposal, removal or concealing of encumbered property;
 - (3) tax fraud;
 - (4) conspiracy;
 - (5) Medicaid, Medicare or insurance fraud;
 - (6) money laundering;
- D.** Theft:
 - (1) breaking and entering;
 - (2) larceny;
 - (3) robbery;
 - (4) burglary;
 - (5) shoplifting;
 - (6) I.D. theft;
 - (7) credit card or other financial information;
 - (8) receiving or transferring stolen property;
- E.** Financial crimes:
 - (1) embezzlement;
 - (2) extortion;
 - (3) receiving stolen property;
 - (4) forgery;
 - (5) receiving illegal kickbacks;
 - (6) racketeering;
 - (7) falsification of documents;
 - (8) white collar crimes;
- F.** Drug offenses:
 - (1) drug trafficking;
 - (2) possession;
 - (3) contributing to the delinquency of a minor;
- G.** Sex crimes:
 - (1) distribution of pornography;
 - (2) human trafficking;
 - (3) criminal sexual penetration or contact;
 - (4) failure to register with the sex offender and notification act;
- H.** Any crimes identified under Section 61-24C-10, NMSA 1978;
- I.** Miscellaneous:
 - (1) felon in possession of a firearm;
 - (2) bribery of an official;
 - (3) accepting a bribe;
 - (4) gambling and gaming crimes;
 - (5) stalking;
 - (6) terrify, intimidate, threaten, harass, annoy or offend another;
 - (7) escape from incarceration;
 - (8) DWI;
 - (9) practicing a profession without a license or on a revoked or suspended license;
 - (10) violation of the subdivision act, mortgage foreclosure act, mortgage loan company act or uniform money services act;
 - (11) violation of the controlled substance act;
- J.** The department shall not consider the fact of a criminal conviction as part of an application for licensure unless the conviction in question is one of the disqualifying criminal convictions listed in Section 16.42.4.10 NMAC.

K. The department shall not deny, suspend or revoke a license on the sole basis of a criminal conviction unless the conviction in question is one of the disqualifying criminal convictions listed in 16.42.4.10 NMAC.

L. Nothing in this rule prevents the department from denying an application or disciplining a licensee on the basis of an individual's conduct to the extent that such conduct violated the Interior Designers Act, regardless of whether the individual was convicted of a crime for such conduct or whether the crime for which the individual was convicted is listed as one of the disqualifying criminal convictions listed in 16.42.4.10 NMAC.

M. In connection with an application for licensure, the department shall not use, distribute, disseminate, or admit into evidence at an adjudicatory proceeding criminal records of any of the following:

- (1) an arrest not followed by a valid conviction;
- (2) a conviction that has been sealed, dismissed, expunged or pardoned;
- (3) a juvenile adjudication; or
- (4) a conviction for any crime other than the disqualifying criminal convictions listed in

16.42.4.10 NMAC

[16.42.4.10 NMAC - N, 3/12/2022; A, 7/18/2023]

HISTORY OF 16.42.4 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

IDB Rule 89-7, Complaints filed 12/19/1989.

IDB Rule 89-8, Denial, Suspension, Failure filed 12/19/1989.

History of Repealed Material: [RESERVED]

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 42 INTERIOR DESIGNERS
PART 5 FEES**

16.42.5.1 ISSUING AGENCY: Regulation and Licensing Department.

[11/10/97; 16.42.5.1 NMAC - Rn, 16 NMAC 42.5.1, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

16.42.5.2 SCOPE: Applicant and licensure fees required for application, licensing, renewals, penalties, and other fees required under the Interior Designers Act.

[11/10/97; 16.42.5.2 NMAC - Rn, 16 NMAC 42.5.2, 10/26/2002; A, 7/18/2023]

16.42.5.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Interior Design Act, 61-24C-14, and 61-24C-16 NMSA 1978.

[11/10/97; 16.42.5.3 NMAC - Rn, 16 NMAC 42.5.3, 10/26/2002; A, 7/18/2023]

16.42.5.4 DURATION: Permanent.

[11/10/97; 16.42.5.4 NMAC - Rn, 16 NMAC 42.5.4, 10/26/2002]

16.42.5.5 EFFECTIVE DATE: November 10, 1997 unless a different date is cited at the end of a section of paragraph.

[11/10/97; 16.42.5.5 NMAC - Rn, 16 NMAC 42.5.5, 10/26/2002]

16.42.5.6 OBJECTIVE: The objective of Part 5 is to establish fees to generate revenue adequate to fund the cost of program administration.

[11/10/97; 16.42.5.6 NMAC - Rn, 16 NMAC 42.5.6, 10/26/2002]

16.42.5.7 DEFINITIONS: [RESERVED]

16.42.5.8 FEES: All fees are non-refundable.

A. Applicants for licensure shall pay an initial licensure fee of two hundred (\$200.00).

B. The renewal fee shall be two hundred fifty dollars (\$250.00).

- C. The late fee shall be one hundred dollars (\$100.00).
- D. The fee for a duplicate or replacement license shall be twenty-five dollars (\$25.00).
- E. The reinstatement fee shall be two hundred dollars (\$200.00).
- F. The fee for inactive status shall be fifty dollars (\$50.00) due annually by October 1st each year.
- G. The fee for printable labels of licensees shall be twenty-five dollars (\$25.00).
- H. The fee for electronic list of licensees shall be fifteen dollars (\$15.00).
- I. The fee for each CEU course application shall be seventy-five dollars (\$75.00).
- J. The fee for a verification of licensure shall be fifteen dollars (\$15.00).

[11/10/97; 16.42.5.8 NMAC - Rn & A, 16 NMAC 42.5.8, 10/26/2002; A, 11/14/2009; A, 08/15/2014; A, 7/18/2023]

HISTORY OF 16.42.5 NMAC:

Pre-NMAC History: This material in this part was derived from that previously filed with the State Records Center and under:

IDB Rule 89-9, Fees filed 12/19/89.

IDB 9, Fees filed 11/2/92.

History of Repealed Material: [RESERVED]

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 42 INTERIOR DESIGNERS
PART 6 CONTINUING EDUCATION GUIDELINES**

16.42.6.1 ISSUING AGENCY: Regulation and Licensing Department.

[11/10/97; 16.42.6.1 NMAC - Rn, 16 NMAC 42.6.1, 10/26/2002; A, 08/15/2014; A, 7/18/2023]

16.42.6.2 SCOPE: The provisions in Part 6 of Chapter 42 apply to all interior designers who are applying to renew their license.

[11/10/97; 16.42.6.2 NMAC - Rn, 16 NMAC 42.6.2, 10/26/2002]

16.42.6.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to the Interior Design Act, Section 61-24C-10 NMSA 1978.

[11/10/97; 16.42.6.3 NMAC - Rn, 16 NMAC 42.6.3, 10/26/2002; A, 7/18/2023]

16.42.6.4 DURATION: Permanent.

[11/10/97; 16.42.6.4 NMAC - Rn, 16 NMAC 42.6.4, 10/26/2002]

16.42.6.5 EFFECTIVE DATE: November 10, 1997 unless a different date is cited at the end of a section of paragraph.

[11/10/97; 16.42.6.5 NMAC - Rn, 16 NMAC 42.6.5, 10/26/2002]

16.42.6.6 OBJECTIVE: The objective of Part 6 is to establish criteria for continuing education for interior designers licensed in New Mexico.

[11/10/97; 16.42.6.6 NMAC - Rn, 16 NMAC 42.6.6, 10/26/2002]

16.42.6.7 DEFINITIONS:

A. "Continuing Education Unit (CEU)" means a point awarded to a professional person by a professional organization for having attended an educational program relevant to the goals of the organization. A value is established for the course and that number of points is given.

B. "Continuing Education (CE)" means educational opportunities for professionals.

[16.42.6.7 NMAC - Rn, 16 NMAC 42.6.7, 10/26/2002; A, 08/15/2014]

16.42.6.8 CONTINUING EDUCATION: Interior designers in New Mexico shall be required to develop their professional knowledge and competency in conformity with this rule by completion of continuing education approved by the department.

A. Prior to renewal, every interior designer is required to complete 20 hours of continuing education in interior design subjects or courses of study approved by the department or interior design continuing education council (IDCEC).

B. Organization and administration: The department shall:

(1) evaluate and approve either prospectively, or retrospectively, specific courses, programs of education, and training as formal programs of learning which contribute directly to the professional competency of an interior designer, and shall determine the appropriate number of CEU hours to be granted for each course offering submitted;

(2) audit the continuing education professional education records of licensees as deemed necessary; and

(3) approve courses that have received IDCEC approval.

C. Minimum requirements of approved courses: Formal programs of learning which build upon the basic knowledge of interior design shall meet the following criteria:

(1) enhance the quality of technical knowledge;

(2) enhance overall comprehensive professional education;

(3) provide knowledge in new technical areas; or

(4) provide practical applications on issues which impact the public health, safety and welfare.

D. Approved subject areas:

(1) Unless otherwise approved by the department, subjects or courses of study accepted for the purposes of this rule shall be limited to the following:

(a) Design:

(i) computer aided drafting and design (CAD);

(ii) space planning and programming;

(iii) product performance;

(iv) document and specs;

(v) advancement in specialized field;

(vi) interior detailing; and

(vii) historic preservation.

(b) Health and safety planning:

(i) life safety requirements;

(ii) barrier free requirements;

(iii) codes and ordinances; and

(iv) interior products and finishes.

(c) Mechanical, plumbing, and electrical systems:

(i) principles and design;

(ii) new equipment and control systems; and

(iii) energy conservation.

(d) Building systems:

(i) acoustics;

(ii) basic building systems; and

(iii) lighting.

(e) Business:

(i) contracts and agreements;

(ii) accounting;

(iii) business law; and

(iv) project management.

(f) Ethics.

(2) Additional methods for meeting CEU requirements:

(a) Unless otherwise approved by the department and subject to the formalities and further requirements of this rule, alternative methods for earning CEUs shall be limited to the following:

(i) service as an instructor at a college or university level course of an interior design related course;

(ii) authoring or co-authoring a published professional interior design related paper, article, book or presentation.

(b) It is the responsibility of the licensee to provide sufficient documentation and proof of the specific service or activity to the department to prove that the alternative method of obtaining CE credit meets the criteria in 6.42.6.8(E) NMAC; it is also the responsibility of the attendee to provide proof of attendance.

(c) Pre-approval of alternative methods of obtaining CE credit is not mandatory but, is highly recommended.

E. In order for a licensee to receive credit for programs of learning, as defined above, the following formalities and further requirements must be met:

(1) Higher education credit courses shall be credited for continuing education purposes at the rate of fifteen (15) hours for each semester or credit hour. A copy of a transcript documenting course completion must be submitted as proof of compliance.

(2) Higher education non-credit courses shall be credited for continuing education purposes equivalent to the actual number of classroom hours. A copy of transcript documenting course completion must be submitted as proof of compliance.

(3) Continuing professional education credit for teaching a higher education course shall be credited with twice the number of credits awarded for attending the course for the first presentation of the course or program, the same number of credits granted a participant for the second presentation of the course, and none thereafter. A letter from education institution must be submitted as proof of completion.

F. Criteria for approval of providers of continuing education:

(1) The department sets forth the following criteria to be used in approving course providers:

(a) Proof of competence and expertise of the instructors is required.

(b) A provider shall not advertise course as department approved unless department approval has been obtained.

(2) General requirements for course approval shall include:

(a) Course meets topic area guidelines as set forth in Paragraph (1) of Subsection D of 16.42.6.8 NMAC.

(b) Length of course must be a minimum of one (1.0 CEU) instructional hours. Each instructional hour shall include at least fifty minutes of continuous actual instruction.

(c) For course approval, providers must complete the department-approved continuing education program review form which may be obtained from the department or department website.

(d) Provider must submit course materials to the department on the review form, form can be obtained from department or department website.

(e) Previously approved courses shall be re-reviewed by the committee and the department if any of the following circumstances occur:

(i) course instructor changed;

(ii) course content changed;

(iii) course received evaluation results from attendees, indicating that the course did not meet the approval criteria outlined in Paragraph (3) of Subsection B of 16.42.6.8 NMAC, Subparagraph (a) of Paragraph (1) of Subsection D of 16.42.6.8 NMAC and Subparagraph (b) of Paragraph (2) of Subsection D of 16.42.6.8 NMAC;

(iv) course documentation not submitted by the provider as required by Subparagraph (a) of Paragraph (4) of Subsection D of 16.42.6.8 NMAC;

(v) changes in the number of CEUs;

(vi) course documentation incomplete or irregularities exist;

(vii) course is advertised as department approved when no such approval has been granted; and

(viii) if any of these conditions exist, a previously approved course shall not be considered approved by the department. The provider is responsible for resubmitting previously approved courses for re-approval if required by the above criteria.

(f) Pay application fees.

(g) Proof of attendance certificate: At the completion of the course, the provider must furnish proof of attendance certificates to all who satisfactorily complete the course. A copy of the attendance certification shall be maintained by the instructor for a two-year period. Said certificate shall contain the following items of information:

(i) name of the provider;

(ii) name of the attendee and license number;

(iii) name of the instructor;

- (iv) title of course and number of CEU credits;
- (v) New Mexico interior design approval number;
- (vi) date and location of presentation;
- (vii) length of course, excluding breaks (e.g. time); and
- (viii) provider's signature as verification of attendee satisfactory completion

of the course.

- (h) the attendee shall submit a copy of the proof of attendance with other

documentation.

- (3) Proof of attendance list:

(a) Within 30 calendar days after the completion of the course, the provider must furnish a proof of attendance list to the department. The proof of attendance list shall include the following information:

- (i) name of provider;
- (ii) names of attendees;
- (iii) signatures of attendees
- (iv) title of course and the New Mexico interior design approval number;
- (v) date and location of course,
- (vi) number of CEU credits; and
- (vii) course evaluation forms.

(b) The provider must also furnish each attendee with a current copy of the department-provided course evaluation form which every attendee shall complete and sign in ink at the conclusion of the course. The provider shall collect the course evaluation forms and submit the original forms to the department within 30 calendar days of course completion.

(c) The names and number of attendees on the proof of attendance list must match the names and number of the evaluation forms.

(d) A current copy of the department-provided course evaluation form shall be obtained from the board office for duplication by the provider.

(e) The department reserves the right to audit the presentation of any course it has approved. The audit may be done without prior notification to the provider; however, the provider is not required to furnish materials and services associated with the course to the auditor without prior notice and compensation.

G. Reporting of continuing education hours: Licensed interior designers shall submit to the department with their renewal application and fee, the required proof of attendance of department approved or IDCEC approved CEUs completed during the applicable renewal period. The department shall verify credit hours earned prior to renewing the license.

[11/10/97; 16.42.6.8 NMAC - Rn, 16 NMAC 42.6.8, 10/26/2002; A, 08/15/2014; A, 7/18/2023]

HISTORY OF 16.42.6 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

IDB Rule 92-1, Continuing Education Guidelines filed 2/6/92.

IDB Rule 92-1, Continuing Education Guidelines filed 4/26/95.

History of Repealed Material: [RESERVED]

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 42 INTERIOR DESIGNERS
PART 7 LICENSURE FOR MILITARY SERVICE MEMBERS, SPOUSES, DEPENDENT CHILDREN AND VETERANS

16.42.7.1 ISSUING AGENCY: Regulation and Licensing Department.

[16.42.7.1 NMAC – N, 3/12/2022; A, 7/18/2023]

16.42.7.2 SCOPE: This part sets forth application procedures to expedite licensure for military service members, spouses, dependent children, and veterans.

[16.42.7.2 NMAC – N, 3/12/2022]

16.42.7.3 STATUTORY AUTHORITY: These rules are promulgated pursuant to Section 61-1-34 NMSA 1978 of the Uniform Licensing Act, and the Interior Designers Act, Sections 61-24C-1 to 16 NMSA 1978.
[16.42.7.3 NMAC – N, 3/12/2022; A, 7/18/2023]

16.42.7.4 DURATION: Permanent.
[16.42.7.4 NMAC – N, 3/12/2022]

16.42.7.5 EFFECTIVE DATE: January 4, 2014, unless a later date is cited at the end of a section.
[16.42.7.5 NMAC - RP, 16.42.7.5 NMAC, 3/12/2022]

16.42.7.6 OBJECTIVE: The purpose of this part is to expedite licensure for military service members, their spouses, their dependent children and for veterans pursuant to Section 61-1-34 NMSA 1978.
[16.42.7.6 NMAC – N, 3/12/2022]

16.42.7.7 DEFINITIONS:

- A. “License” has the same meaning as defined in Subsection E of Section 61-1-2 NMSA 1978.
- B. “Licensing Fee” has the same meaning as defined in Subsection E of Section 61-1-34 NMSA 1978.
- C. “Military service member” has the same meaning as defined in Subsection E of Section 61-1-34 NMSA 1978.
- D. “Substantially equivalent” means the determination by the board that the education, examination, and experience requirements contained in the statutes and rules of another jurisdiction are comparable to, or exceed the education, examination, and experience requirements of the Interior Designers Act.
- E. “Veteran” has the same meaning as defined in Subsection E of Section 61-1-34 NMSA 1978.
[16.42.7.7 NMAC – N, 3/12/2022; A, 7/18/2023]

16.42.7.8 APPLICATION REQUIREMENTS:

- A. Applications for registration shall be completed on a form provided by the department.
- B. The applicant shall provide a complete application that includes the following information:
 - (1) applicant’s full name;
 - (2) current mailing address;
 - (3) current electronic mail address, if any;
 - (4) date of birth; and
 - (5) proof as described in Subsection C of 16.42.7.8 NMAC.
- C. The applicant shall provide the following satisfactory evidence as follows:
 - (1) applicant is currently licensed and in good standing in another jurisdiction, including a branch of the United States armed forces;
 - (2) applicant has met the minimal licensing requirements in that jurisdiction and the minimal licensing requirements in that jurisdiction are substantially equivalent to licensing requirements for New Mexico; and
 - (3) the following documentation:
 - (a) for military service member: a copy of military orders;
 - (b) for spouse of military service members: copy of military service member’s military orders, and a copy of marriage license;
 - (c) for spouses of deceased military service members: copy of decedent’s DD 214 and copy of marriage license;
 - (d) for dependent children of military service members; copy of military service member’s orders listing dependent child, or a copy of military orders and one of the following: copy of birth certificate, military service member’s federal tax return or other governmental or judicial documentation establishing dependency;
 - (e) for veterans (retired or separated): copy of DD 214 showing proof of honorable discharge.
- D. The license or registration shall be issued by the department as soon as practicable but no later than thirty days after a qualified military service member, spouse, dependent child, or veteran files a complete application and provides a background report if required for a license, and any required fees.

E. Military service members and veterans shall not pay and the department shall not charge a licensing fee for the first three years for a license issued pursuant to this rule.

F. A license issued pursuant to this section shall be valid for the time period that is specified in the Interior Designers Act.

G. Electronic signatures will be acceptable for applications submitted pursuant to section 14-16-1 through section 14-16-19 NMSA 1978.
[16.42.7.8 NMAC – N, 3/12/2022; A, 7/18/2023]

16.42.7.9 [RESERVED]

16.42.7.10 RENEWAL REQUIREMENTS:

A. A license issued pursuant to this section shall not be renewed unless the license holder satisfies the requirements for renewal set forth in 16.42.3 NMAC pursuant to Interior Designers Act, Sections 61-24C-1 to 16 NMSA 1978.

B. As a courtesy, the department will send via electronic mail license renewal notifications to licensees or registrants before the license expiration date to the last known email address on file with the department. Failure to receive the renewal notification shall not relieve the licensee or registrant of the responsibility of timely renewal on or before the expiration date.

[16.42.7.10 NMAC – N, 3/12/2022; A, 7/18/2023]

HISTORY OF 16.42.7 NMAC: [RESERVED]

NOTICE OF MINOR, NONSUBSTANTIVE CORRECTION

The Regulation and Licensing Department, Boards and Commissions Division gives Notice of a Minor, Nonsubstantive Correction to 16.42.3 NMAC, 16.42.4 NMAC and 16.42.5 NMAC.

Pursuant to the authority granted under State Rules Act, Subsection D of Section 14-4-3 NMSA 1978, please note that the following minor, non-substantive corrections to spelling, grammar and format have been made to all electronic copies of the above rule:

16.42.3 NMAC ; 16.42.4 NMAC ; and 16.42.5 NMAC

In the amendment sentence for each of the above amendments for each respective part, removed errata mention of Section 5 as an amended section.

A copy of this Notification will be filed with the official version of each of the above rules.

NEW MEXICO INTERIOR DESIGN BOARD

CONCISE EXPLANATORY STATEMENT

On May 16, 2023, the New Mexico Interior Design Board ("Board") published proposed amended and revised rules in Chapter 42 of Title 16 of the New Mexico Administrative Code, pursuant to its authority under the Interior Designers Act, NMSA 1978, Section 61-24C-5.

The Board hereby adopts rules that amend the Board's administrative code at 16.42.1 NMAC through 16.42.7 NMAC.

1. Statutory Authority for Rule Promulgation:

The Interior Designers Act ("Act"), NMSA 1978, Section 61-24C-5(C) which authorizes the Board to "adopt regulations to carry out the purposes and policies of the Interior Designers Act, including regulations relating to professional conduct, standards of performance and professional examination and licensure, reasonable license, application, renewal and late fees and the establishment of ethical standards of practice for a licensed interior designer in New Mexico.' , Additionally, under Section 61-24C-5(G), the Board is authorized to "do all things reasonable and necessary to carry out the purposes of the Interior Design Act."

2. Effective Date of the Final Rules:

Pursuant to NMSA 1978, Section 14-4-5(D) of the State Rules Act, the rules will be effective upon the date of publication in the New Mexico Register.

3. Date of Adoption of Rules, approved by the Superintendent of the Department:

June 16, 2023

4. Date of Rule Hearing:

June 16, 2023

5. Reasons for Adopting Rules:

16.42.1 - General Provisions:

The amendments to this part comply with statutory changes to the Interior Design Act and also contain revisions to grammatical and typographical errors throughout.

16.42.2 — Code of Professional Conduct:

The amendments to this part comply with statutory changes to the Interior Design Act and also contain revisions to grammatical and typographical errors throughout.

16.42.3 — Licensing Requirements:

The amendments to this part comply with statutory changes to the Interior Design Act which appear at NMSA 1978, Sections 61-24C-8, 61-24C.,9, and 61-24C-10. These amendments and statutory changes include updating the requirements for licensure by examination, licensure without examination, expedited licensure and licensure for military service members and veterans. The amendments also contain revisions regarding renewal, expired licenses and licenses in inactive status.

16.42.4 — Complaints and Disciplinary Actions:

The amendments to this part comply with statutory changes to the Interior Design Act regarding complaints and disciplinary actions and also contain revisions to grammatical and typographical errors throughout.

16.42.5 - Fees:

The amendments to this part comply with statutory changes to the Interior Design Act regarding licensure fees and also contain revisions to grammatical and typographical errors throughout.

16.42.6 — Continuing Education Guidelines:

The amendments to this part comply with statutory changes to the Interior Design Act which appear at NMSA 1978, Section 6104C-10D. The amendments to this part also contain revisions to grammatical and typographical errors throughout.

16.42.7 — Licensure for Military Service Members, Spouses, Dependent Children and Veterans:

The amendments to this part comply with statutory changes to the Interior Design Act regarding licensure for military service members, spouses, dependent children and veterans. The amendments to this part also contain revisions to grammatical and typographical errors throughout.

6. Reasons for Changes from Published Rule:

Amendments to the proposed rules fall within the scope of current rulemaking and do not require a new proceeding. The Board made no substantive changes to the proposed rules.

7. Reasons for Not Accepting Substantive Arguments from Public Comment:

The Board received one comment from the public during this rule hearing. That comment was intended to clarify conflicting language in 16.42.5 NMAC Fees to the proposed rules. The Board incorporated those changes into that part and no further changes were made.

IT IS SO ORDERED.

6/28/2023

DATE

ON BEHALF OF THE NEW MEXICO INTERIOR
DESIGN BOARD

Sarah M. Geath

Sarah McGeath, Sr. Board Administrator

